IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No. 1980 of 2001

Between:

P.Gunasekhara Reddy, s/o. P.Rami Reddy,

Aged 38 years, r/o.Q.No.5, Mangalam Quarters, Tirupati.

..... PETITIONER

AND

1. The Tirumala Tirupati Devasthanam, Tirumala,

Chittoor District, rep.by its Executive Officer.

2. Assistant Executive Officer (Revenue),

Tirumala Tirupati Devasthanam, Tirumala.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction particularly one in the nature of Writ of Mandamus declaring the order of R.2 in ROC.No.REV1./147/AEO(REV)/TML/2000, dated 24-1-2001 as illegal, arbitrary, violative of principles of natural justice and Art.14, 19(1)(g), and 300 A of Constitution of India and consequently permit the petitioner to run the Ram Bagicha Guest House Janatha Canteen, Tirumala, as per proceedings Roc.No.REV1/593/AEO(REV)/TML/2000, dated 30-10-2000.

Counsel for the Petitioner : MR.M.S.RAMCHANDRA RAO

Counsel for Respondent No.1 & 2 : Mr. M.Adinarayana Rao, SC for T.T.D.

The Court made the following :

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ORDER :

By proceedings dated 30-10-2000 the Tirumala Tirupati Devasthanam, Tirumala, granted the licence to the petitioner to run Janatha Canteen at Ram Bagicha Guest House, Tirumala, for a period of two years on monthly licence fee of Rs.3,03,002/-. By impugned order dated 24-1-2001 the licence of the petitioner was cancelled after following due process of law by issuing a show-cause notice. The reason for cancellation is that the petitioner was found selling edibles at higher rates to the pilgrims as against the rates fixed by the Tirumala Tirupati Devasthanam, which is a condition of licence. This order is assailed in the present writ petition.

The petitioner was given licence for a period of two years, which expired in January, 2003. Though the cancellation was challenged, this Court declines to grant interim order. It is now brought to the notice of this Court by the learned standing counsel for the Tirumala Tirupati Devasthanam that possession was also taken pursuant to the impugned order. In that view of the matter, the cause of action does not survive, as the lease period itself was expired.

The writ petition is, therefore, dismissed as infructuous. No costs.

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(V.V.S. RAO, J.)

08-06-2005.

Msr.

To

1. The Executive Officer, Tirumala Tirupati Devasthanam,

Tirumala, Chittoor District.

2. Assistant Executive Officer (Revenue),

Tirumala Tirupati Devasthanam, Tirumala.

3 2 CCs to Government Pleader for Endowments,

High Court Buildings, Hyderabad.

4 2 CD copies

HON'BLE SRI JUSTICE V.V.S. RAO

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08-06-2005

(Msr)